

REMARKS

In the non-final Office Action, the Examiner rejected claim 27 under 35 U.S.C. § 101 as directed to non-statutory subject matter, rejected claims 1-6, 11-18, 20, 22, 23-25, and 27-34 under 35 U.S.C. § 102(b) as anticipated by Pant et al. (U.S. Patent No. 6,012,053), rejected claims 7, 9, and 10 under 35 U.S.C. § 103(a) as unpatentable over Pant et al. in view of Page (U.S. Patent No. 6,285,999), rejected claim 8 under 35 U.S.C. § 103(a) as unpatentable over Pant et al. in view of Lazarus et al. (U.S. Patent No. 6,134,532), and rejected claims 19, 21, and 26 under 35 U.S.C. § 103(a) as unpatentable over Pant et al. in view of Brown et al. (U.S. Patent No. 6,665,838).

By this Amendment, Applicants amend claims 19, 23, 27, 28, and 31 to improve form and add new claims 35 and 36. Applicants respectfully traverse the Examiner's rejections under 35 U.S.C. §§ 101, 102, and 103 with regard to the pending claims. Claims 1-36 are pending.

In paragraph 1-1 of the Office Action, the Examiner rejected claim 27 as allegedly directed to non-statutory subject matter. Applicants amend claim 27 to recite that the web browser is "stored in a computer-readable medium." Applicants submit that claim 27, as now amended, is directed to statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicants respectfully request that the rejection of claim 27 under 35 U.S.C. § 101 be reconsidered and withdrawn.

In paragraph 2-1 of the Office Action, the Examiner rejected claims 1-6, 11-18, 20, 22, 23-25, and 27-34 under 35 U.S.C. § 102(b) as allegedly anticipated by Pant et al. Applicants respectfully traverse the rejection.

Claim 1, for example, recites a combination of features of a computer-implemented

method for modifying documents to aid a user in determining which entry of one or more entries in the documents to choose. The method includes identifying a document that includes one or more entries, determining scores for each of the entries in the identified document, modifying the identified document based on the determined scores, and providing the modified document to the user.

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either expressly or impliedly. Any feature not directly taught must be inherently present. In other words, the identical invention must be shown in as complete detail as contained in the claim. See M.P.E.P. § 2131. Pant et al. does not disclose or suggest the combination of features recited in claim 1. For example, Pant et al. does not disclose or suggest identifying a document that includes one or more entries and determining scores for each of the entries in the identified document, as recited in claim 1.

The Examiner alleged that Pant et al. discloses these features and cited column 2, lines 35-55, column 13, lines 9-25, and Figures 7-9 of Pant et al. for support (Office Action, page 3). Applicants respectfully disagree.

At column 2, lines 35-55, Pant et al. discloses:

This module has an output for providing an indication of a score indicative of relevance for each of the items in the set of search results. A sorting module has an input which receives the score associated with each item and an indication of the set of search results, and an output providing to the user an indication of the items in the set of search results in an order ranked according to the relevance score of each item.

Other aspects of the invention include the process performed by the computer system to apply the relevance factors to the search results to provide a score for each item in the search results. Another aspect of the invention is a client computer and the process performed by the client computer to communicate with a database server to provide relevance factors and receive the ranked searched results. Another aspect of the invention is a server computer and the process performed by the server computer to receive and

process a query and relevance factors from a client computer to produce relevancy ranked search results.

In this section, Pant et al. discloses that a user can provide relevance factors that are used to score items in a set of search results obtained based on a query and rank the items based on their scores. Nowhere in this section, or elsewhere, does Pant et al. disclose or suggest identifying a document that includes one or more entries.

At column 13, lines 9-25, Pant et al. describes Figures 7-9 as follows:

An example result is shown in FIG. 7. In this embodiment, the scores are shown for each item, but in other embodiments, such scores may be omitted. This search is the result of the query shown at 320 in FIG. 6. Each item includes a hypertext link 330 to the source of the document, a descriptor 332 of the document (usually text taken from the beginning of the document), an indication 334 of the source of the document and an indication of its score, as a function of the maximum score of the retrieved items. FIG. 8 illustrates results achieved with the same query when the relevance factor is the order of the search terms, set at a value of 100. FIG. 9 illustrates the results achieved with the same query when the selected relevance factors are words match, proximity and field, with values set at 100, 100 and 10, respectively. As can be seen from the results, the search query and number of hits remains unchanged, but the presentation of results differs.

In this section, Pant et al. describes examples of search results that may be presented to a user. Nowhere in this section, or elsewhere, does Pant et al. disclose or suggest identifying a document that includes one or more entries and determining scores for each of the entries in the identified document, as recited in claim 1.

It appears from the sections of Pant et al. identified by the Examiner that the Examiner equates the search results (e.g., Figs. 7-9) obtained by Pant et al. with the "document that includes one or more entries," as recited in claim 1. Applicants disagree. The items in the search results in Pant et al. do not take the form of a document until the items are identified, scored, and ranked (col. 5, line 61 - col. 6, line 15). In particular, Pant et al. discloses that the "ranked results 178 provided by the sorting module are formed into an HTML document which is returned to the

browser 150 via the HTTP server 160 as indicated at 180" (col. 6, lines 12-15) (emphasis added).

Therefore, the search results cannot be equated to "a document that includes one or more entries" until the search results are formed into an HTML document for transmission to the browser. Assuming that the HTML document of Pant et al. could be equated to a document that includes one or more entries, Pant et al. does not disclose or suggest determining scores for each of the entries in the HTML document, modifying the HTML document based on the determined scores, or providing a modified HTML document to the user, as further required by claim 1. Pant et al. does not disclose doing anything to the HTML document or the contents of the HTML document other than sending it to the browser (col. 6, lines 12-15).

For at least these reasons, Applicants submit that claim 1 is not anticipated by Pant et al. Claims 2-6, 11-18, 20, 22, and 23 depend from claim 1 and are, therefore, not anticipated by Pant et al. for at least the reasons given with regard to claim 1. Claims 2-6, 11-18, 20, 22, and 23 are also not anticipated by Pant et al. for reasons of their own.

For example, claim 4 recites intercepting data of a document sent from a server to a client. Pant et al. does not disclose or suggest this feature.

The Examiner alleged that Pant et al. discloses this feature and cited Figure 3 and column 5, line 60 - column 6, line 10 of Pant et al. for support (Office Action, page 3). Applicants disagree.

At column 5, line 60 - column 6, line 10, Pant et al. discloses:

FIG. 3 shows a particular embodiment of the invention which uses a browser such as described above which presents HTML documents to a user as shown at 150 in FIG. 3. The browser can both receive input from a user and provide output as indicated at 152 and 154, respectively. In this embodiment, the user-provided search query 156 and relevance factors 158 are sent to a server 160 such as an HTTP server, examples of which were

described above. The HTTP server 160 has an interface through which a query 162, derived from the input 156 from the browser 150, can be provided to a database query engine 164. Similarly, relevance factors 166 derived from the input relevance factors 158 can be provided to a relevance determination module 168. The database query engine 164 provides search results 170 to the relevance determination module. In addition, the relevance determination module may access the database 172.

Contrary to the Examiner's allegation, nothing in this section describes intercepting data of a document sent from a server to a client. Instead, this section of Pant et al. describes processing that occurs at the server side. This section of Pant et al. does not even mention the transmission of a document from a server to a client.

At column 6, lines 12-15, Pant et al. discloses that "ranked results 178 provided by the sorting module are formed into an HTML document which is returned to the browser 150 via the HTTP server 160 as indicated at 180." Pant et al. does not disclose or suggest that the HTML document is "intercepted" when it is sent from server 160 to browser 150.

For at least these additional reasons, Applicants submit that claim 4 is not anticipated by Pant et al.

Independent claims 24 and 25 recite features similar to features described above with regard to claim 1. Claims 24 and 25 are, therefore, not anticipated by Pant et al. for reasons similar to reasons given with regard to claim 1.

Amended independent claim 27 recites a combination of features of a web browser stored in a computer-readable medium. The web browser includes instructions for requesting documents stored on at least one server, each of the documents including one or more entries, instructions for determining scores for each of the entries, instructions for modifying the requested documents based on the determined scores, and instructions for presenting the

modified documents to facilitate selection of one or more of the entries.

Pant et al. does not disclose or suggest the combination of features recited in claim 27.

For example, Pant et al. does not disclose or suggest instructions for determining scores for each of the one or more entries in documents stored on at least one server, as recited in claim 27.

The Examiner alleged that Pant et al. discloses this feature and cited column 4, lines 1-26, column 2, lines 35-55, and column 13, lines 9-25 of Pant et al. for support (Office Action, page 5). Applicants disagree.

At column 4, lines 1-26, Pant et al. discloses:

The computer system 100 may be one or more general purpose computer systems which are programmable using a high level computer programming language, such as "C, or "Pascal." The computer system also may be implemented using specially programmed, special purpose hardware. In a general purpose computer system, the processor is typically a commercially available processor, of which the series x86 processors, available from Intel, and the 680X0 series microprocessors available from Motorola are examples. Many other processors are available. Such a microprocessor executes a program called an operating system, of which UNIX, DOS and VMS are examples, which controls the execution of other computer programs and provides scheduling, debugging, input/output control, accounting, compilation, storage assignment, data management and memory management, and communication control and related services. The processor and operating system define a computer platform for which application programs in high-level programming languages are written. It should be understood the invention is not limited to a particular computer platform, particular processor, or particular high-level programming language. Additionally, the computer system may be a multiprocessor computer system or may include multiple computers connected over a computer network. As such, the database may be local to the user or remote.

Nothing in this section even remotely suggests instructions for determining scores for each of one or more entries in documents stored on at least one server, as required by claim 27. Instead, Pant et al. simply discloses that computer system 100 may be a general purpose computer system or a multiprocessor computer system.

Column 2, lines 35-55, and column 13, lines 9-25, of Pant et al. have been reproduced

above. Nowhere in these sections, or elsewhere, does Pant et al. disclose or suggest instructions for determining scores for each of one or more entries in documents stored on at least one server, as required by claim 27.

It is unclear with regard to claim 27 whether the Examiner equates the items identified in the search results or the search results themselves as allegedly equivalent to the claimed documents that include one or more entries. Applicants submit that in either case Pant et al. does not disclose or suggest the claimed combination of features recited in claim 27.

Assuming that the items identified in the search results could be equated to documents that include one or more entries, Pant et al. does not disclose or suggest instructions for determining scores for each of the entries in the items of the search results, instructions for modifying the items of the search results based on the determined scores, or instructions for presenting the modified items to facilitate selection of one or more of the entries, as required by claim 27. Instead, Pant et al. discloses identifying search result items, scoring the search result items, and ranking the search result items based on the scores (col. 5, line 60 - col. 6, line 15).

Assuming that the search results themselves could be equated to a document that includes one or more entries, Pant et al. does not disclose or suggest instructions for requesting documents stored on at least one server, where each of the documents include one or more entries, as required by claim 27. The search query sent by the browser in Pant et al. does not request search results stored on at least one server. Instead, the search results are generated in response to the search query.

In addition to the foregoing deficiencies in the disclosure of Pant et al., Pant et al. does not disclose or suggest a web browser that includes instructions for requesting documents stored

on at least one server, each of the documents including one or more entries, instructions for determining scores for each of the entries, instructions for modifying the requested documents based on the determined scores, and instructions for presenting the modified documents to facilitate selection of one or more of the entries. None of the sections of Pant et al. identified by the Examiner refer to processing by a web browser.

For at least these reasons, Applicants submit that claim 27 is not anticipated by Pant et al.

Amended independent claim 28 recites a combination of features of a computer-implemented method for modifying entries in an existing document to aid a user in determining which of the entries to select. The method includes receiving a request for an existing document that includes one or more entries, determining a score for each of the entries in the document, modifying the entries by at least one of reordering, deleting, visually distinguishing, or annotating the entries based on the determined scores, and providing the document with the modified entries to the user.

Pant et al. does not disclose or suggest the combination of features recited in claim 28. For example, Pant et al. does not disclose or suggest receiving a request for an existing document that includes one or more entries and determining a score for each of the entries in the document, as recited in claim 28.

The Examiner alleged that Pant et al. discloses these features and cited column 3, lines 30-55, and column 2, lines 35-55 of Pant et al. for support (Office Action, pages 5 and 6). Applicants disagree.

At column 3, lines 30-55, Pant et al. discloses:

A user supplies the search query 106 to the query engine 104 through a user interface 108.

The database query engine 104 applies the search query 106 to the database 102 to provide search results 110 which include an indication of the items in the database 102 which match the search query 106. The search results typically include enough information to access the actual item, but generally does not include the entire item in order to reduce the amount of memory needed to process the search results. In the invention, a relevance determination module 112 receives the search results 110 from the database query engine 104 and applies pre-specified relevance factors 114 to each of the corresponding items in the search results 110 to obtain scored search results 116. In particular, each of the items in the search results 110 has a set of attributes associated with it, which the module 112 may use the database 102 to access and identify if such information is not made available in the search results 110. Each of these attributes is given a weight according to the specified relevance factors 114. These weights are combined to provide a score for each item. The scored search results are sorted by sorting module 118 to provide ranked results 120 which are provided to a user interface 122 to be output to the user.

From this section, it is unclear whether the Examiner equates an item identified in the search results or the search results themselves as allegedly equivalent to the claimed existing document that includes one or more entries. Applicants submit that in either case Pant et al. does not disclose or suggest the claimed combination of features recited in claim 28.

Assuming that an item identified in the search results could be equated to the existing document that includes one or more entries, Pant et al. does not disclose or suggest determining a score for each of the entries in an item of the search results, modifying the entries by at least one of reordering, deleting, visually distinguishing, or annotating the entries based on the determined scores, or providing the item of the search results with the modified entries to the user, as required by claim 28. Instead, Pant et al. discloses identifying search result items, scoring the search result items, and ranking the search result items based on the scores (col. 3, lines 32-55).

Applicants submit that the search results themselves could not be equated to an existing document that includes one or more entries, as recited in amended claim 28. The search results are not "existing" but are rather generated in response to a user search query (col. 3, lines 32-55).

Column 2, lines 35-55, of Pant et al. has been reproduced above. Nothing in this section, or any other section, of Pant et al. cures the deficiencies noted above with regard to claim 28.

For at least these reasons, Applicants submit that claim 28 is not anticipated by Pant et al. Claims 29 and 30 depend from claim 28 and are, therefore, not anticipated by Pant et al. for at least the reasons given with regard to claim 28.

Amended independent claim 31 recites features similar to features described above with regard to claim 28. Claim 31 is, therefore, not anticipated by Pant et al. for reasons similar to reasons given with regard to claim 28.

Independent claim 32 recites a combination of features of a first server in a network including the first server and a plurality of second servers. The first server includes a memory configured to store instructions and a processor configured to execute the instructions in the memory to obtain, from one of the second servers, one or more entries from a document, determine scores for the one or more entries, and return the scores to the one second server.

Pant et al. does not disclose or suggest the combination of features recited in claim 32. For example, Pant et al. does not disclose or suggest a processor of a first server that is configured to obtain, from one of the second servers, one or more entries from a document, determine scores for the one or more entries, and return the scores to the one second server.

The Examiner alleged that Pant et al. discloses these features and cited column 2, lines 35-55, column 13, lines 9-25, and Figures 7-9 of Pant et al. for support (Office Action, page 7). Applicants disagree.

Column 2, lines 35-55 and column 13, lines 9-25, of Pant et al. have been reproduced above. Nowhere in these sections, or elsewhere, does Pant et al. disclose or suggest a processor

of a first server that obtains, from one of the second servers, one or more entries from a document, determines scores for the one or more entries, and returns the scores to the one second server. As explained above, the search results of Pant et al. do not take the form of a document until they are ready to be sent to the browser (col. 6, lines 12-15).

For at least these reasons and reasons similar to reasons given above with regard to the other independent claims, Applicants submit that claim 32 is not anticipated by Pant et al. Independent claims 33 and 34 recite features similar to features described with regard to claim 32. Claims 33 and 34 are, therefore, not anticipated by Pant et al. for reasons similar to reasons given with regard to claim 32.

In paragraph 3-1 of the Office Action, the Examiner rejected claims 7, 9, and 10 under 35 U.S.C. § 103(a) as allegedly unpatentable over Pant et al. in view of Page. Applicants respectfully traverse the rejection.

Claims 7, 9, and 10 depend from claim 1. While not acquiescing in the rejection set forth by the Examiner, Applicants submit that the disclosure of Page does not cure the deficiencies in the disclosure of Pant et al. as described above with regard to claim 1. Claims 7, 9, and 10 are, therefore, patentable over Pant et al. and Page, whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

In paragraph 3-2 of the Office Action, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as allegedly unpatentable over Pant et al. in view of Lazarus et al. Applicants respectfully traverse the rejection.

Claim 8 depends from claim 1. While not acquiescing in the rejection set forth by the Examiner, Applicants submit that the disclosure of Lazarus et al. does not cure the deficiencies in

the disclosure of Pant et al. as described above with regard to claim 1. Claim 8 is, therefore, patentable over Pant et al. and Lazarus et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

In paragraph 3-3 of the Office Action, the Examiner rejected claims 19, 21, and 26 under 35 U.S.C. § 103(a) as allegedly unpatentable over Pant et al. in view of Brown et al. Applicants respectfully traverse the rejection.

Claims 19 and 21 depend from claim 1. While not acquiescing in the rejection set forth by the Examiner, Applicants submit that the disclosure of Brown et al. does not cure the deficiencies in the disclosure of Pant et al. as described above with regard to claim 1. Claims 19 and 21 are, therefore, patentable over Pant et al. and Brown et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

Independent claim 26 recites features similar to features described above with regard to claim 27. While not acquiescing in the rejection set forth by the Examiner, Applicants submit that the disclosure of Brown et al. does not cure the deficiencies in the disclosure of Pant et al. as described above with regard to claim 27. Claim 26 is, therefore, patentable over Pant et al. and Brown et al., whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 27.

New dependent claims 35 and 36 depend from claims 1 and 27, respectively. Claims 35 and 36 are, therefore, patentable over the references cited by the Examiner for at least the reasons given with regard to claims 1 and 27.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of pending claims 1-36.

To the extent necessary, a petition for an extension of time under 35 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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